

MESSAGE NO: 2257305

MESSAGE DATE: 09/13/2012

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping Countervailing (CVD) duty scope determination on aluminum extrusions from the People's Republic of China (PRC) C-570-968.

1. Commerce received a scope ruling request from Sinobec Resources LLS (Sinobec). Commerce issued a final scope determination on 9/6/2012 that Sinobec's aluminum rails for shower and carpets (aluminum rails) which it imports are not within the scope of the CVD duty order on aluminum extrusions from the PRC C-570-968.
2. Commerce determined that the laboratory testing information from SGS-CSTC Standards Technical Services Co., Ltd., contained in Sinobec's Scope Request substantiates Sinobec's claims that the products at issue were manufactured using an Aluminum Association designation of "5050" and that the standard for that designation is aluminum material containing between 1.1 and 1.8 percent magnesium by weight.

The scope of the Aluminum Extrusions Orders specifically excludes aluminum extrusions made from aluminum alloy with an Aluminum Association series designation commencing with the number 5 and containing in excess of 1.0 percent magnesium by weight. Therefore, Sinobec's aluminum rails are not within the scope of the CVD order on aluminum extrusions from the PRC.
3. For all entries of aluminum rails that are not within scope that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to aluminum rails not within the scope as described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of aluminum rails entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.

6. The assessment of CVD duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts

deposited as estimated CVD duties. The interest provisions are not applicable to cash or bonds posted as estimated CVD duties before the date of publication of the CVD duty order. Interest shall be calculated from the date payment of estimated CVD duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of banner stands and back wall kits from the PRC not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated CVD duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202)482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by 03: JSC).

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party